

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**MONUMENT PEAK
VENTURES, LLC
Plaintiff,**

v.

**XEROX CORPORATION
Defendant.**

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CIV. A. NO. 2:21-cv-0345-JRG-RSP

JURY TRIAL DEMANDED

EXHIBIT 41

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MONUMENT PEAK VENTURES, LLC

v.

XEROX CORPORATION

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Case No. 2:21-cv-345-JRG-RSP

DECLARATION OF JENNIFER TATUM LEE

1. My name is Jennifer Tatum Lee. I am over 18 years of age, of sound mind, and capable of making this declaration. The facts stated in this declaration are within my knowledge and are true and correct.

2. I am an attorney for Monument Peak Ventures, LLC.

3. Exhibit 1 is a true and correct copy of the Xerox FreeFlow Web Services Training Online and open for Business brochure from the Xerox.com website. Exhibit 1 identifies the Xerox “Digital Print Learning Center” in Lewisville, Texas. This brochure is currently available on Xerox.com. Exhibit 1 also contains screen shots from November 18, 2021 and December 1, 2021 showing the brochure on Xerox’s website.

4. Exhibit 3 is a true and correct copy of printouts from the Denton County Central Appraisal District website for the 1945 Lakepointe Drive, Lewisville, Texas 75057 location. Exhibit 3 includes printouts of the real property records for the real property located at 1945 Lakepoint Drive, Lewisville, Texas 75057 and personal property owned by Xerox at the 1945 Lakepoint Drive location.

5. Exhibit 4 is a true and correct copy of a printout from the www.usa-education.worldorgs.com website accessed on December 1, 2021 listing the Xerox Training Center in Lewisville, Texas.

6. Exhibit 5 is a true and correct copy of Mack Steven's LinkedIn page accessed on December 1, 2021, and November 29, 2021.

7. Exhibit 6 is a true and correct copy of a Xerox job posting for Docucare Associate II-Beaumont, Texas accessed on November 11, 2021 on the Xerox.com website.

8. Exhibit 7 is a true and correct copy of a Xerox job posting for Docucare Associate II-Beaumont, Texas from LinkedIn accessed on November 28, 2021.

9. Exhibit 8 is a true and correct copy of a Xerox job posting for Field Service Technician Tyler, Texas from the Xerox.com website accessed on November 28, 2021.

10. Exhibit 13 is a true and correct copy of printouts from the Xerox.com website accessed on November 8 and 9, 2021, listing Xerox partners, agents and locations in the district.

11. Exhibit 14 is a true and correct copy of printouts from the Xerox.com website accessed on November 18, 2021 listing Criteria First as a Xerox DocuShare Reseller Partner.

12. Exhibit 15 is a true and correct copy of printouts from the Xerox.com website accessed on December 1, 2021 listing Parker Business Forms, DataProse, Fiserv, ViaTech Publishing Solutions as Xerox Premier Partners and December 1, 2021 listing Parker Business Forms as a Xerox Premier Partner and Print Provider and identifying Heather Camp and Dustin Camp as contacts.

13. Exhibit 16 is a true and correct copy of printouts from the Texas Secretary of State website listing 210 UCC Filings for Xerox accessed on November 8, 2021.

14. Exhibit 17 is a true and correct copy of UCC financing statements filed by Xerox at the Texas Secretary of State listing accessed and downloaded on November 18 and 19, 2021.

15. Exhibit 18 is a true and correct copy of a list of Xerox partners, agents, resellers and providers in the district based upon information gathered from the Xerox.com website.

16. Exhibit 19 is a true and correct copy of Xerox brochures and printouts from the Xerox.com website accessed on December 1, 2021 describing the partner options at Xerox including Xerox Channel Partner, DocuShare Partner, Xerox Agent, Xerox Innovation Partner, Xerox Premier Partners, Partner training, education and Go-To-Market Support, Member, Silver Level Partner, Gold Level Partner, Platinum Level Partner.

17. Exhibit 20 is a true and correct copy of a Xerox brochure from the Xerox.com website for the Xerox Global Partner Program accessed on December 1, 2021 describing the partner levels, requirements and services offered by Xerox.

18. Exhibit 21 is a true and correct copy of a Xerox brochure from the Xerox.com website for Xerox Authorized Sales Agents, Platinum accessed on November 30, 2021.

19. Exhibit 22 is a true and correct copy of a Xerox brochure from the Xerox.com website describing Financial Assistance for Partner accessed on November 28, 2021.

20. Exhibit 23 is a true and correct copy of the Xerox brochure from the Xerox.com website describing the Xerox Global Partner Program accessed on November 30, 2021.

21. Exhibit 24 is a true and correct copy of the Xerox Channel Partner Program announcement adding UBEO in Austin, Texas as a partner accessed on December 3, 2021.

22. Exhibit 25 is a true and correct copy of printouts from the Tyler Area Chamber of Commerce listing for Document Solutions/Xerox and Gainesville Area Chamber of Commerce business directory listing for Xerox Metro Centre accessed on November 19, 2021.

23. Exhibit 26 is a true and correct copy of screenshots from Google Maps showing the signage for the Best Office Solutions, Texarkana location, Documents Solutions Athens location, Documents Solutions Tyler location and Edge Office Longview location accessed on December 1, 2021.

24. Exhibit 27 is a true and correct copy of printouts from LinkedIn for the witnesses identified by Xerox in its motion including, Carter, Gualtieri, Hunter, Kennan, Perez, Perry, Rouhana and Schempp accessed on November 29, 2021.

25. Exhibit 28 is a true and correct copy of LinkedIn printouts for Xerox employees Scott Borlinghaus and James Reasor accessed on November 29, 2021.

26. Exhibit 29 is a true and correct copy of printouts from Criteria First website accessed on December 1, 2021 and Criteria First employee LinkedIn pages accessed on November 18, 2021.

27. Exhibit 30 is a true and correct copy of printouts from LinkedIn pages for Tsaour, Gallagher, Testa, Foygel accessed on December 2, 2021.

28. Exhibit 33 is a true and correct copy of listing of Xerox patents assigned/transferred to entities in the district and Texas, the patent title, assignee, address of the assignee and cases where the Xerox patents have been litigated in this district or the Western District of Texas and docket sheets for those cases printed from LexisNexis on December 2, 2021.

29. Exhibit 35 is a true and correct copy of the obituary for David R. Gotham accessed on www.farrell-ryan.com (funeral home) on December 2, 2021.

30. Exhibit 36 is a true and correct copy of printouts from Document Solutions website accessed on November 18, 2021 and LinkedIn pages for Document Solutions employees accessed on November 29, 2021 and company profile pages and LinkedIn pages accessed on December 3, 2021.

31. Exhibit 37 is a true and correct copy of printouts from Edge Office Products website and LinkedIn pages for Edge Office Products employees accessed on December 1, 2021 and December 3, 2021.

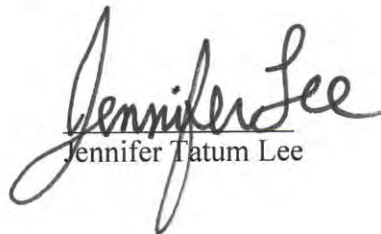
32. Exhibit 38 is a true and correct copy printouts from LinkedIn for Parker Print Solutions and its employee accessed on December 1, 2021.

33. Exhibit 39 is a true and correct copy of printouts from the Texas Secretary of State for Bicameral, Bluestone Innovations, IP Edge, Milestone IP, Opal Run, Paradise IP, Realm Licensing, Ruby Sands, Sapphire Crossing and Venadium entities accessed on December 1, 2021 and LinkedIn pages accessed on December 3, 2021.

34. Exhibit 40 is a true and correct copy of printouts from Google Maps and Expedia showing the distance from San Antonio, Texas to Marshall, Texas and the flight times and costs to travel from San Antonio to Rochester, New York accessed on December 2, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 3rd day of December 2021.



Jennifer Tatum Lee